



Communication Certification Laboratory

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JUN 05 1995

FCC MAIL ROOM

June 2, 1995

Office of The Secretary
Federal Communications Commission
1919 M Street N.W.
Washington DC 20554

DOCKET FILE COPY ORIGINAL

Subject: Comments On ET Docket No. 95-19

Enclosed are six copies of comments from Communication Certification Laboratory (CCL). The comments are for the above referenced docket number.

Sincerely yours,

COMMUNICATION CERTIFICATION LABORATORY


Joseph W. Jackson
Marketing Manager

Enclosures

No. of Copies rec'd 025
List A B C D E

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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JUN 05 1995

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In the Matter of)
)
Amendment of Parts 2 and 15)
of the Commission's Rules to)
Deregulate the Equipment)
Authorization Requirements)
for Digital Devices)

DOCKET FILE COPY ORIGINAL

ET Docket No. 95-19

**Communication Certification
Laboratory's Comments**

Communication Certification Laboratory (CCL) is an independent testing laboratory involved in the testing of products to the Federal Communication Commission (FCC) requirements contained in Part 15 of the rules. CCL actively participates in discussions with both Industry and Government in considering Electromagnetic Compatibility (EMC) issues both domestically and internationally. CCL participates in the advisory committee, Consultative Committee - Telecommunications (CCT) relating to the implementation of the North American Free Trade Agreement (NAFTA).

CCL supports the FCC Notice of Proposed Rulemaking for the use of Manufacturer's Declaration of Conformity (DOC) along with the use of formally accredited testing facilities. This proposal provides the needed balance in simplifying the certification process and maintaining some assurance that the testing will be performed correctly. Without the use of accredited laboratories

the use of Declarations of Conformity would have serious shortcomings.

Requirement for Accreditation

Currently the FCC requires that the testing facility used for preparing the test data to support an application for certification be listed by the FCC. This listing is intended to ensure that the test site used to measure RF emissions will produce accurate results. As noted in the NPRM this process does not address the competence of the testing laboratory. The proposal to use the National Institute of Standards and Technology (NIST) accreditation program known as "National Voluntary Laboratory Accreditation Program" (NVLAP) is a logical and sensible proposal. The program operated by NVLAP provides for laboratory accreditation in accordance with international standards. Such a program will be a benefit to the testing industry in the United States when dealing with the global marketplace. Considering the terms of the North American Free Trade Agreement, the FCC should be considering the use of international standards.

CCL recognizes that there is a fee for accreditation by NVLAP. Such fees are based on the cost to administer the program. Considering the political climate in Washington, DC, it is very probable that if the FCC continues to administer a program of listing test laboratories that a fee will eventually be charged for this service. From a testing laboratory

perspective it would be best to only require one laboratory approval. CCL feels that the NVLAP accreditation, being more comprehensive, is the appropriate method to use.

Harmonization with International Systems

Product approval based on a manufacturer's declaration of conformity is rapidly becoming more and more the norm in international conformity assessment systems. A review of the European Community's system shows how the manufacturer's DOC concept can be effectively used in many areas. Currently, much of their EMC Directive, Low Voltage Directive, and Machinery Directive and Medical Device Directive have some provisions for a manufacturer's DOC. However, that is not the end of the system. Notified and Competent Bodies, which can be viewed as akin to the accredited laboratories, are an important part in making the process work. The United States Government should not only look at harmonizing with international conformity assessment systems but, should also develop a system that serves the needs of the United States.

Protection of the United States Consumer

Although it is logical that all prudent and responsible U.S. manufacturers could be trusted to fulfill all of the requirements of a system based on DOCs, it would be foolish to believe that all foreign manufacturers would be as committed to compliance. In the interest of protecting the U.S. Consumer, it is

appropriate for the FCC to provide a mechanism to ensure that the testing is performed correctly. Currently, in the United States, there is an increased awareness and concern with electromagnetic interference. The FCC should be commended for addressing the problem of interference from computing devices with their administration of Part 15. It would be unfortunate to step backwards, by not providing an adequate means of enforcing the FCC rules.

International Importance of Laboratory Accreditation

Australia, South Korea, Canada, Mexico and the European Union, are imposing mandated laboratory accreditation systems. In meeting with representatives from Mexico and Canada as a part of the Consultative Committee - Telecommunications (CCT), there is significant interest in providing a means to assure that the testing laboratory is competent.

It should only be necessary for a testing laboratory to be accredited by the appropriate organization within the country where the laboratory is located. It should be reasonable to expect that Mutual Recognition Agreements (MRA) will be signed with other countries, that would permit NVLAP to accredit laboratories located in the United States to perform testing, which would be recognized by other countries, such as Mexico, Canada, Australia and the European Union. This would also mean, that the burden to accredit laboratories located outside of the United States would not fall on NVLAP, but would be performed by

the authorized body located within the foreign country.

Industry Support

CCL has had several conversations with various manufacturers in the telecommunications industry. CCL has observed, that there is support for the FCC's proposal to require laboratory accreditation. Appendix A identifies some of those companies who have expressed support for the FCCs proposal.

Label Requirements

CCL supports the concept of a single mark. In first, considering the requirements within the United States it would make sense to only require one mark to show compliance with EMC (Part 15), Telecom (Part 68), and the appropriate Product Safety standard as required by the Occupational Health and Safety Administration (OSHA). The next logical step would be to extend the concept of a single mark to include the NAFTA partners, Mexico and Canada. Discussions should be held with the appropriate agencies in the United States, Canada and Mexico to determine if a harmonized mark is possible. CCL believes that a harmonized mark will serve the needs of the telecommunications industry, the public and regulatory authorities in helping to quickly determine that the product has been determined to be in compliance with the appropriate regulations.

Summary

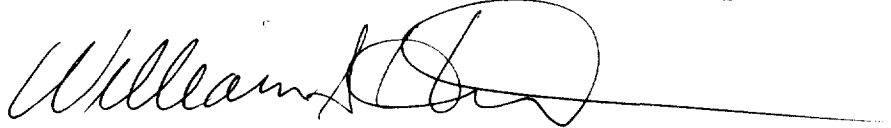
1. The proposal to use Manufacturer Declaration of Conformity should be adopted conditioned on adequate and appropriate means being implemented to ensure compliance.

2. CCL supports the requirement to use NVLAP in accrediting test laboratories. NVLAP is a well established program and is recognized internationally. It is appropriate and logical for the FCC to use this program.

3. A single mark should be developed to show compliance with all applicable regulations.

Respectfully Submitted,

Communication Certification Laboratory

A handwritten signature in black ink, appearing to read 'William S. Hurst', followed by a long horizontal line extending to the right.

William S. Hurst, P.E.
Vice President

1940 West Alexander Street
Salt Lake City, UT 84119-2039

801/972-6146

May 23, 1995

Appendix A
Manufacturer Support for NPRM
ET Docket No. 95-19

I the undersigned, express support for the FCC Notice of Proposed Rulemaking (NPRM), ET Docket, No. 95-19, which provides for Manufacturer Declaration of Conformity (DOC) and the use of the National Voluntary Laboratory Accreditation Program (NVLAP) as an appropriate means to provide for the accreditation of testing facilities.

William D. PEDERSEN
Name

Sustaining Engineer III
Title

GENTNER COMMUNICATIONS CORP.
Company

William D. Pedersen
Signature

May 26, 1995
Date

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FAX NO. 8019128432

F. UD

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CHRIS J. HUNT

Name

SENIOR COMPLIANCE ENGINEER

Title

INTERNATIONAL GAME TECHNOLOGY

Company

Signature

Date MAY 30, 1995

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JACQUES MALEBRANCHE
Name

Regulatory Agency Manager
Title

Penril Datacity Networks
Company

Jacques Malebranche
Signature

5/31/95
Date

P.08

FAX NO. 8018728432

COL

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Richard L. Bierman, P.E.
Name

Sr. Staff Engineer
Title

In Situ, Inc.
Company

Richard L. Bierman
Signature

5/3/95
Date

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William I. Faler
Name

Product Support Tech
Title

In-Situ, Inc
Company

William I. Faler
Signature

5/31/95
Date

SENT BY:

5-31-95 12:49PM ;

IN-SITU INC.→

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James G. Kelm
Name

Manager R&D
Title

In-Situ Inc.
Company

James G. Kelm
Signature

5/30/95
Date

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J. D. Battas

Name

Technical Advisor

Title

FastComm Communications Corporation

Company

J. D. Battas

Signature

30 May 1995

Date

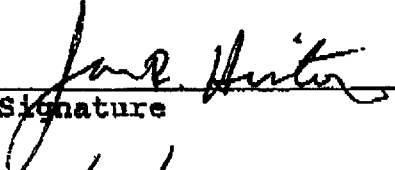
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JON R. HINTON
Name

DESIGN ENGINEER
Title

ANGIA COMMUNICATIONS
Company


Signature

5/31/95
Date

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CHAMAN L. BHARDWAJ
Name

Regulator Agency Engineer
Title

Megahertz Corp.
Company

Chaman L. Bhardwaj
Signature

6/1/95
Date

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PHILIP T NICHOLS
Name

MECHANICAL ENGINEER
Title

I-O CORP.
Company

Philip T Nichols
Signature

June 2, 1995
Date

Agenda Item A
Manufacturer Support for NPRM
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ERIC TAYLOR

Name

PRODUCT COMPLIANCE ENGINEER

Title

ASPECT TELECOMMUNICATIONS

Company

Eric Taylor

Signature

June 2, 1995

Date

MAY-26-95 FRI 12:32

CCL

FAX NO. 8019728432

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Rick Packard
Name

EMC Technician
Title

Iomega Corp.
Company

Rick Packard
Signature

6-2-95
Date